

CONSTRUCTION AND PERMITTING OF  
WASTEWATER TREATMENT FACILITIES

PURPOSE

To set forth the position of the Bureau with respect to approval for location, construction, and permitting of new, expanded, or relocated municipal, industrial and commercial wastewater collection and/or treatment facilities within or adjacent to existing sewer service areas.

BACKGROUND

The Kansas Division of Environment is responsible for the protection and enhancement of the quality of the State's waters through the judicious application of water quality standards, effluent standards, and engineering design criteria. The Division's policies regarding the aforementioned standards are developed and integrated through the State Water Quality Management Plan. The State Water Quality Management Plan prepared under the requirements of Section 303e, P.L. 92-500 and 40 CFR 130 and 131, sets forth the general framework for making sound water quality decisions and for establishing and implementing effective control programs at the State and local levels. The Division's Point Source Water Quality Management Plans (adopted November 1, 1976\*) are the first output of the State Water Quality Management Plan and generally set forth the Division's program for achieving the 1977 water quality goals of P.L. 92-500. Water Quality Management is a dynamic process and revisions and amendments to the State Water Quality Management Plan are made as needed.

Although the Division of Environment is responsible for the water quality of the entire State, successful protection of existing high quality waters and restoration of polluted waters can only be achieved through the cooperative efforts of State and local government. An issue which demands attention is the location and construction of wastewater collection and treatment systems in urbanizing areas adjacent to many cities. In many cases, rapid urbanization and industrialization in these areas create serious water quality management problems through the proliferation of relatively small, poorly operated, and maintained wastewater facilities. This situation can result in serious deterioration in the quality of surface and groundwater, public health hazards, community nuisances, and poor and ineffective utilization of limited water pollution abatement funds. Additional difficulties including conflicts over jurisdiction, financing a competent operations and maintenance staff, and long range planning occur when different governmental entities or ownerships are responsible for the systems.

The economic impact of the establishment of numerous small temporary treatment facilities cannot be overemphasized. This procedure may eventually lead to repeated assessments of cost to citizens being served by the facilities for larger "temporary" treatment units, interceptors for transportation of wastewaters to larger permanent treatment facilities, and for treatment capacity in

\*Metro Area Supplements Adopted May 9, 1977.

the larger permanent facilities. The capital and operating costs of any temporary treatment facility must be kept to a minimum while at the same time maintaining adequate engineering design. Long-term financing, which would exceed the anticipated life of the facility, should be avoided to minimize future public complaints on redundant sewerage charges. If abandonment must occur prior to payout, the citizen will again be penalized through multiple assessment of costs. Economic planning is an absolute necessity.

In analyzing this situation, the Bureau of Water Quality considered the following situations:

1. Existing and proposed systems for areas entirely within existing sewer service areas (e.g., within city limits, existing county sewer district, improvement district, etc.).
2. Existing and proposed systems adjacent to an existing sewer service area.
3. Existing and proposed systems which overlap governmental jurisdictions.

The following policy is based in part on the establishment of the Kansas Water Quality Management Plan pursuant to 40 CFR 130 and 131 and P.L. 92-500 and their modifications or amendments. The policy also is based on Kansas Regulation 28-16-62 (adopted April 24, 1974), Terms and Conditions of Permits, I., Prohibitions, which states, "No permit shall be issued if the discharge is in conflict with an approved plan designated pursuant to the Act".

#### POLICY

The following policy will be observed by the Bureau of Water Quality with respect to the approval for location, construction, and permitting of wastewater collection and/or treatment facilities within facility planning areas as identified in the State Water Quality Management Plan and within a three-mile limit from existing city boundaries, if not covered in the previously designated facilities planning area:

1. New wastewater permits will not ordinarily be issued for locations, within city limits, county sewer districts, improvement districts, or large drainage districts within the boundaries of these areas, where adequate sewers and treatment facilities exist. Modifications or additions to existing treatment facilities will be considered on a case-by-case basis taking into account possibilities of regionalization, inter-connection, service areas, required treatment levels, and water quality standards.
2. Approval of initial proposals, plans and specifications will not be given for any proposed facilities in locations adjacent to established wastewater collection and treatment service areas which could be routinely served by existing facilities based on technical considerations, contractual arrangements, and fair and equitable capital and

and service charges. Where a reasonable potential exists for new interceptors and/or treatment facilities, and where it has been determined that an existing system cannot routinely handle the additional wastewater flow, permits may be issued for temporary treatment facilities which will utilize construction of a temporary nature. No permanent facilities shall be constructed.

For purposes of this policy statement, the following characteristics will generally define "temporary" design and construction:

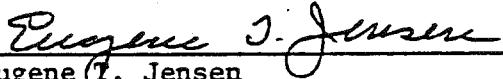
- a. The facility will have a limited design life of 4-7 years, maximum, prior to abandonment, relocation, or alternative means of transport and treatment.
- b. Individual units and piping will be designed to facilitate abandonment and connection to intercepting sewers.
- c. The design of temporary facilities will attempt to limit capital costs and will utilize treatment concepts which would result in reduced operation and maintenance costs for the life of the project.
- d. Non-discharge, discharge, or aerated variations of lagoon treatment systems will be considered as initial alternatives for temporary treatment systems. Mechanical systems will be considered as second alternatives.
- e. Temporary treatment sites will be designed for reclamation of land following abandonment of the facilities.
- f. Phasing must be considered in all temporary treatment situations. Adequate data should be presented to the Bureau of Water Quality relating to estimated growth rates and treatment needs for each year during the life of the temporary treatment facility.

Permits will be written to reflect the eventual abandonment and transport of wastewaters to other nearby collection and/or treatment facilities, and will include requirements for an annual reporting of progress toward abandonment. Temporary permits will not be issued on a routine basis.

3. In areas where no treatment facilities currently exist and access to existing or proposed interceptors and treatment facilities will not be available due to technical and/or financial constraints, permits may be issued, if the public health is subserved and established water quality standards are met. The permits may contain conditions for eventual abandonment or transport of wastewater to other locations. These conditions will be determined on a case-by-case basis.
4. Individual consideration will be given to requests from industrial and commercial establishments for discharge permits where process and/or contaminated cooling water treatment may be subject to requirements or pretreatment programs which may be as stringent as direct discharge requirements.

5. Permits may be issued for the discharge of uncontaminated cooling waters regardless of location.
6. The Bureau of Water Quality will review all initial proposals for the new wastewater treatment systems in accordance with Section I (Facilities Plan), Minimum Standards of Design for Water Pollution Control Facilities, adopted October 15, 1977, in accordance with K.S.A. 65-171h and the applicable section of the Kansas Water Quality Management Plan. Approval to proceed with new treatment facilities will not be routinely given.
7. It is strongly recommended that all proposals for new wastewater facilities (other than sewer extensions) be discussed in detail with the Bureau of Water Quality staff prior to implementation of financial or real estate transactions which may commit owners or consultants to monetary and time constraints.

This policy statement will serve as an amendment to each 303e Point Source Water Quality Management Plan adopted as of November 1, 1976\*.

  
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Eugene J. Jensen  
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\*Metro Area Supplements Adopted May 9, 1977.